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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

SERGIO PRADO,

Plaintiff,

v.

C. ROWLEY, *et al.*,

Defendants.

Case No. 3:18-cv-00216-RCJ-CBC

ORDER

I. DISCUSSION

Plaintiff, a pro se prisoner, previously filed an application to proceed *in forma pauperis* and submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 4, 7.) The Court screened the complaint, dismissed the entire complaint, and gave Plaintiff leave to amend some of the claims. (ECF No. 6 at 12). The Court informed Plaintiff that, if he did not file an amended complaint within 30 days, the Court would dismiss the entire action with prejudice for failure to state a claim. (*Id.* at 13).


Plaintiff now files a motion for voluntary dismissal. (ECF No. 8.) Pursuant to Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The Court grants Plaintiff’s motion to voluntarily dismiss this action because no responsive pleading has been filed in this case. Therefore, the Court dismisses this action with prejudice.

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IT IS FURTHER ORDERED that this action is dismissed in its entirety with prejudice.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment accordingly.

2019.



UNITED STATES DISTRICT JUDGE